

REMARKS

This is intended as a full and complete response to the Office Action dated May 6, 2003, having a shortened statutory period for response set to expire on August 6, 2003. Claims 1 and 13 have been amended to more clearly recite aspects of the invention. Claims 6, 10 and 14-16 have been rewritten in independent form to include the limitations of the base claim and intervening claims. New claim 23 has been added to more clearly recite aspects of the invention. Applicant believes no new matter has been introduced by the amendments and the new claim presented herein. The amendments and the new claim have been made in a good faith effort to advance prosecution on the merits. Claim 18 has been cancelled without prejudice. Applicant reserves the right to subsequently take up prosecution of the claims as originally filed in this application in a continuation, a continuation-in-part and/or a divisional application. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-2, 9, 11-13, and 17-18 stand rejected under 35 U.S.C. §102(a) as being anticipated by EP 1,030,173 A1 (*Timo*). Applicant respectfully traverses this rejection.

In a telephone interview on August 6, 2003, Applicant and the Examiner discussed certain portions in *Timo* directed to 3D characteristics analysis. The Examiner agreed that those portions do not teach generating a three-dimensional image of the substrate surface using the first and second signal images, as recited in the claims. However, the Examiner indicated that she would need to review *Timo* one more time. Applicant appreciates the Examiner's courtesy for scheduling and conducting the interview.

Timo generally relates to a method for inspecting rolled metal products by an optoelectronic measuring arrangement. The method includes the steps of illuminating a region on the object's surface with light sources from different illumination directions at different times. The method further includes imaging the object's illuminated surface region with a camera to provide image information analysis. *Timo* proposes that this method enhances the analysis of the 3D characteristics of the surface, since the surface imaged while illuminated at different times reveals more of its 3D characteristics than when it is illuminated simultaneously.

However, *Timo* does not teach or disclose generating a three-dimensional image of the substrate surface using the first and second signal images. In fact, *Timo* never mentions anything about generating a 3D image of the object's surface. *Timo* merely proposes using the image information to analyze 3D characteristics of the object's surface. Accordingly, claims 1 and 13 are patentable over *Timo*. Claims 2-12 and 14-22 are also patentable over *Timo* since they depend from claims 1 and 13, respectively.

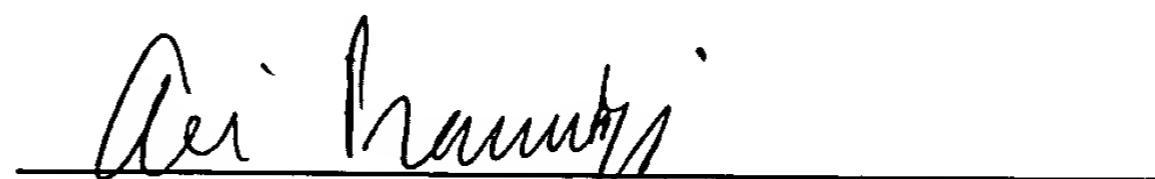
Claims 6, 7, 10 and 14-16 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 6, 10 and 14-16 have been rewritten in independent form to include all of the limitations of the base claim and the intervening claims. Accordingly, claims 6, 10 and 14-16 are in condition for allowance. Claim 7 is also in condition for allowance since it depends from claim 6.

The Examiner has rejected various dependent claims. However, because the rejections to the respective base claims have been overcome, Applicant submits that the rejections for the dependent claims have been obviated.

With regard to new claim 23, Applicant submits that claim 23 recites subject matter that is neither disclosed, taught, nor otherwise suggested by the cited references, and as such, allowance of these claims is respectfully requested.

In conclusion, the references cited by the Examiner, neither alone nor in combination, teach, show, or suggest the claimed method or apparatus. Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,


Ari Pramudji
Registration No. 45,022
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846



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Attorney for Applicant(s)

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